

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Street and Alley Vacation #02020

DATE: January 6, 2003

SCHEDULED PLANNING COMMISSION MEETING:

DATE: January 22, 2003

PROPOSAL: To vacate approximately the east 115' of the east-west alley south of "O" St. between 35th St. and 37th St.

LAND AREA: 1,840 square feet more or less.

CONCLUSION: Conforms to the comprehensive plan. Although the comprehensive plan promotes street connectivity, this alley vacation allows for the safe movement of children.

<u>RECOMMENDATION:</u>	Conforms to the Comprehensive Plan
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Approximately the east 115' of the first alley south of "O" Street running east-west between 35th St. and 37th St.

LOCATION: S. 37th St. and "O" St.

APPLICANT: John Schleich
Austin Realty Investments, L.L.P.
3355 Orwell St. Suite 102
Lincoln, NE 68516-4701
(402) 436-3444

OWNER: same as applicant

CONTACT: same as applicant

SURROUNDING LAND USE AND ZONING:

North: B-1 Office Building
South: R-4 Residential

ASSOCIATED APPLICATIONS: Special Permit #1997 for an early childhood care facility.

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Administrative Final Plat #02073, Young's Hyland Park 1st Addition to create four lots.

Administrative Amendment #02111 to Special Permit #489, to amend a parking lot design in a residential district.

COMPREHENSIVE PLAN SPECIFICATIONS:

"Pedestrians should be separated from motorists and bicyclists." (p. F-90)

UTILITIES: The City of Lincoln Wastewater Division, Lincoln Electric System, Time Warner Cable and Alltel have existing facilities located in the area proposed to be vacated. A permanent easement will be established over the vacated area.

ANALYSIS:

1. This is a request to vacate approximately the east 115' of the east-west alley between 35th and 37th Streets south of "O" Street.
2. There are existing utilities in the alley which will require an easement.
3. This application is in association with Special Permit #1997 for an early childhood care facility, Administrative Final Plat #02073 and Administrative Amendment #02111 to revise the parking lot south of the alley.
4. The City of Lincoln Design Guidelines for early childhood care facilities prohibits children from crossing an alley to access a playground.
5. The alley vacation will allow children from an existing childhood care facility access to the playground without crossing an alley.
6. The Department of Public Works recommends approval of the vacation request subject to approval of the special permit and administrative final plat. The administrative amendment to the parking lot will provide the proper turnaround.

BEFORE THE VACATION REQUEST IS SCHEDULED ON THE CITY COUNCIL AGENDA THE FOLLOWING MUST BE COMPLETED:

- 1.1 The provisions of Chapter 14.20 of the Lincoln Municipal Code are met.

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- 1.2 All requirements of approval for Administrative Final Plat #02073 must be completed.
- 1.3 Special Permit #1997 must be approved.

Tom Cajka
Planner

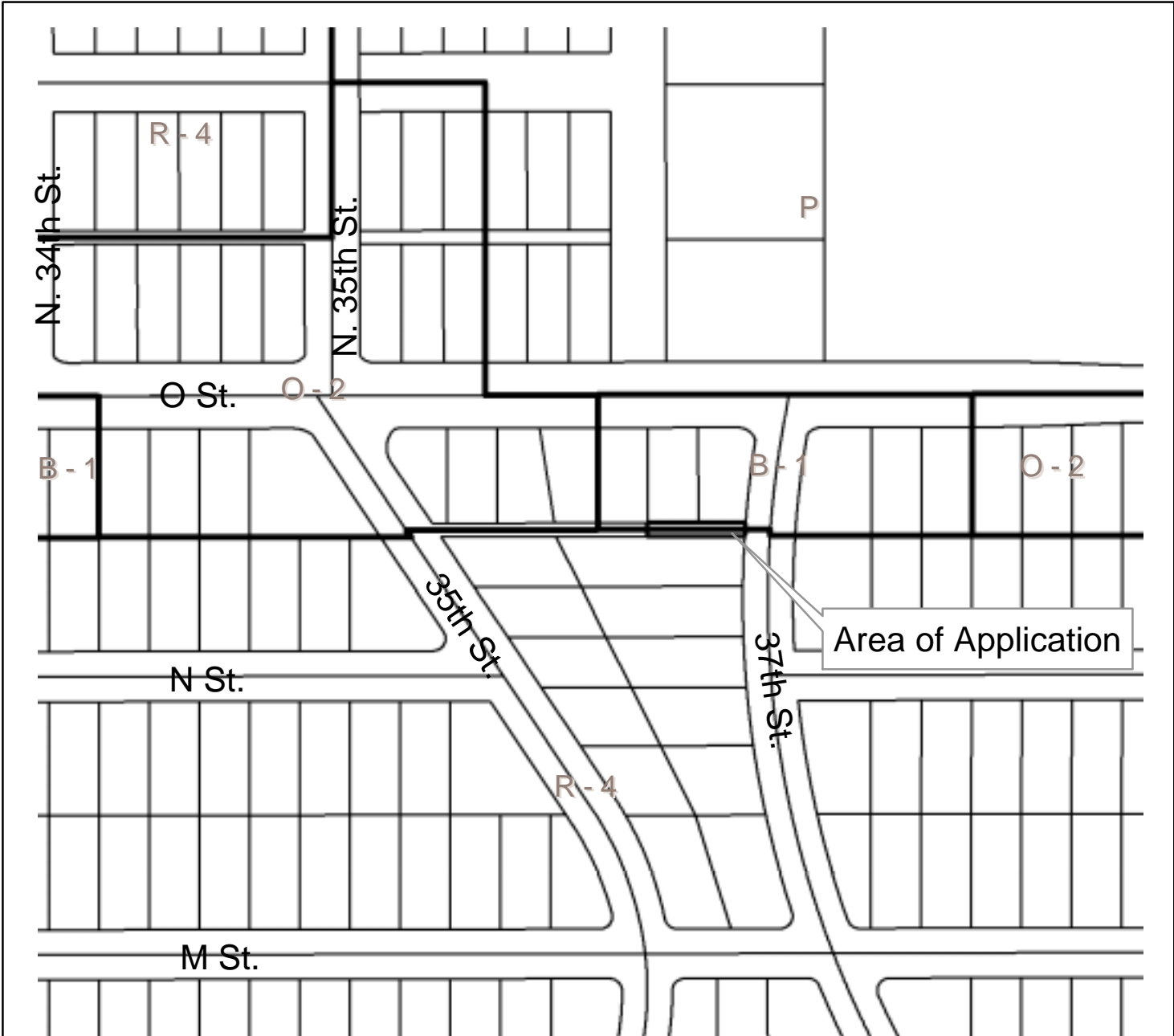
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Street & Alley Vacation #02020
36th & 'O' St.



Lincoln City - Lancaster County Planning Dept.
1997 Aerial

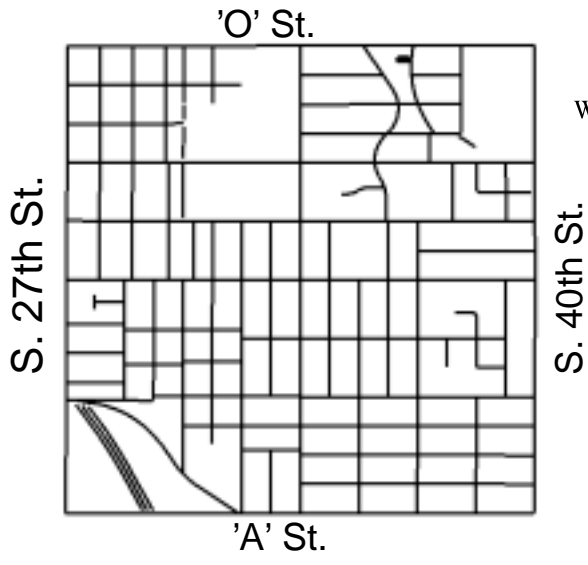
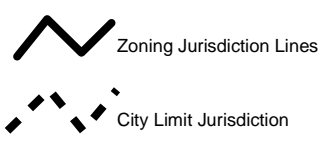


Street & Alley Vacation #02020 **36th & 'O' St.**

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile
 Sec. 30 T10N R7E



Lincoln



Nebraska's Capital City

December 26, 2002

Lincoln City/Lancaster County
Planning Commission
Lincoln, NE 68508

RE: Vacating Approximately the East 115 Feet of the East-West Alley between 36th and 37th Streets
South of "O" Street

Dear Ladies and Gentlemen:

The Department of Public Works and Utilities has received a proper petition from Austin Realty Investments, owners of Lots 1, 2 and 19, Block 9 Young's Hyland Park Addition, to vacate the above described public right-of-way. Petitioner requests this vacation in order for an existing child daycare to continue its operation.

The City of Lincoln wastewater Division, Lincoln Electric System, Time Warner Cable, and Alltel have existing facilities in this area. A permanent easement will need to be established for these existing and possible future facilities.

Because this vacation would create a dead-end public alley, a public access easement will also be required so that vehicles may turn around and exit to the west end of the alley. A special permit is required for the daycare and an administrative plat. The easement needed should be shown on the plat.

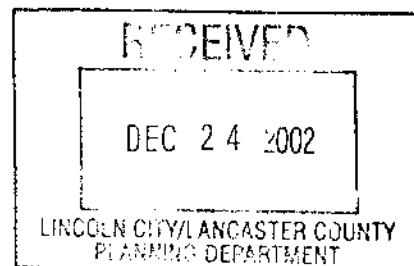
The Department of Public Works recommends approval of this vacation request subject to approval of the special permit and administrative plat. This vacation contains an area of 1,840 square feet, more or less.

Sincerely,

Byron Blum
Engineering Services

cc: Mayor Wesely
Allan Abbott
Marvin Krout
Marc Wullschleger
Roger Figard
Nicole Fleck-Tooze
Randy Hoskins
Joan Ross
Clint Thomas
Dana Roper

36-37, O St Vac tdm.wpd



N 1/2 SE

